

RICHARD SICKNER.

MARCH 1, 1895.—Committed to the Committee of the Whole House and ordered to be printed.

---

Mr. PENDLETON, from the Committee on Military Affairs, submitted the following

REPORT.

[To accompany H. R. 8454.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 8454) to remove the charge of desertion from the record of Richard Sickner, have had the same under consideration, and report the same back to the House with the recommendation that the bill do pass.

It is shown by the records that Richard Sickner, aged 42 years, was enrolled August 30, 1862, and mustered into service September 27, 1862, a private, in Company K, Thirteenth New York Infantry, to serve three years. He is reported as present, on the company muster rolls, to April 30, 1863. He was transferred to Company E, One hundred and fortieth New York Infantry, June 23, 1863, and is reported on the muster rolls of his company as follows: June 30, 1863, "absent, straggled on the march near Aldie, Va. June the 26, 1863—August 31, 1863." The company muster out rolls, dated June 3, 1865, report "deserted June 26, 1863, near Aldie, Va." He never returned to his command.

It is also shown by the records that, as a member of Company K, Thirteenth New York Infantry, he was received at Camp Distribution, near Alexandria, Va., July 9, 1863, and that he was sent away on the same day, but the place to which he was sent is not stated.

In an application for an honorable discharge and for removal of the charge of desertion, the soldier declared, October 22, 1868, that he was enlisted in Company K, Thirteenth New York Infantry, August 29, 1862, by Capt. William Downey; that while the company was in process of completion, it was "stated, advertised, and understood generally" that the period of its service should not extend beyond the unexpired term of the "Old Thirteenth Regiment," and that he enlisted to serve during this term (about nine months), as he understood and believed; that he served faithfully until the said Thirteenth New York Infantry was discharged, when, instead of being discharged from the service as he expected, and had a right to expect, he was transferred to the One hundred and fortieth New York Infantry; that about July, 1863, being sick, he was sent to camp at Alexandria, Va., and about August 10, 1863, he with others was sent home.

He testified, April 10, 1890, to the same effect as his former declaration, adding that, believing that he had served the full term for which he had enlisted and that he was being kept in service in violation of the agreement made, he declined to do duty in the One hundred and fortieth Regiment, and that the military authorities, recognizing his rights, as he supposed, sent him to Washington, and thence to his home, without a discharge.